

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

THOMAS WS RICHEY,

Petitioner,

V

MIKE OBENLAND,

Respondent.

CASE NO. C13-5231 BHS

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”)

of the Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 22), and

Plaintiff's objections to the R&R (Dkt. 23).

On June 17, Judge Strombom issued the R&R recommending that the Court

transfer Petitioner's petition to the Ninth Circuit because it is a second or successive

petition. Dkt. 22. On June 25, 2013, Petitioner filed objections. Dkt. 23. Upon review

of the pleadings, the Court finds that Petitioner's objections are without merit because the

instant petition contains identical issues to those presented in Case No. C13-5043BHS.

Therefore, the Court having considered the R&R, Petitioner's objections, and the

remaining record, does hereby find and order as follows:

1 (1) The R&R is **ADOPTED**; and

2 (2) This petition shall be **TRANSFERRED** to the Ninth Circuit as a second or
3 successive petition; and

4 (3) This case shall be closed.

5 Dated this 12th day of August, 2013.

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BENJAMIN H. SETTLE
United States District Judge